

NOV-24-2008 15:31

COURT UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

COUNTY OF

IN RE: PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE  
LITIGATION

THIS DOCUMENT RELATES TO *Plaintiff(s)*

UNITED STATES OF AMERICA EX REL. VEN-A-CARE OF THE FLORIDA  
KEYS, INC., ET AL. V. DEY, INC., ET AL.,  
CIVIL ACTION NO. 05-11084-PBS *Defendant(s)*

MDL  
INDEX No 1456  
MASTER FILE NO. 01-CV-12257-PBS

**AFFIDAVIT OF  
SERVICE OF SUBPOENA**

DELAWARE

STATE OF ~~DELAWARE~~ COUNTY OF NEW CASTLE SS: The undersigned, being duly sworn, deposes and says: deponent is not a party herein, is over 18 years of age and resides IN THE STATE OF DELAWARE  
That on 11/21/08 at 4:50 PM. at 1901 N. DU PONT HIGHWAY, NEW CASTLE, DELAWARE  
deponent served the within subpoena on DELAWARE HEALTH AND SOCIAL SERVICES  
DIVISION OF MEDICAID AND MEDICAL ASSISTANCE witness therein named,

**PERSONAL**  
1. ☐ by delivering a true copy to said witness personally; deponent knew the person so served to be the witness described in said subpoena.

**CONFIRMATION**  
2. ☒ a DOMESTIC corporation, by delivering thereat a true copy to SLANIA CASTRO personally, deponent knew said corporation so served to be the corporation witness and knew said individual to be MANAGING AGENT thereof.

**DELIVERABLE AND PERSON**  
3. ☐ by delivering thereat a true copy to a person of suitable age and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state.

**APPEARING TO ANSWER, ETC.**  
4. ☐ by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there

**DELIVERED TO DEPOSITORY**  
5. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to witness at witness' last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

**DELIVERED TO DEPOSITORY**  
6. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to witness at witness' actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the witness.

**DESCRIPTOR**  
7. ☒ Male ☐ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☒ Female ☐ Black Skin ☒ Brown Hair ☐ Balding. ☒ 21-35 Yrs. ☒ 5'0"-5'3" ☒ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☐ 5'4"-5'8" ☐ 131-160 Lbs.  
☒ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ NO FEE

the authorized traveling expenses and one day's witness fee.

Sworn to before me on 11/25/08

CARNEY M. SHEA  
NOTARY PUBLIC  
STATE OF DELAWARE  
My commission expires May 24, 2011

Michael Powers  
MICHAEL POWERS  
License No. \_\_\_\_\_

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212 3490338

93%

TOTAL P. 02  
P. 02

Exhibit A